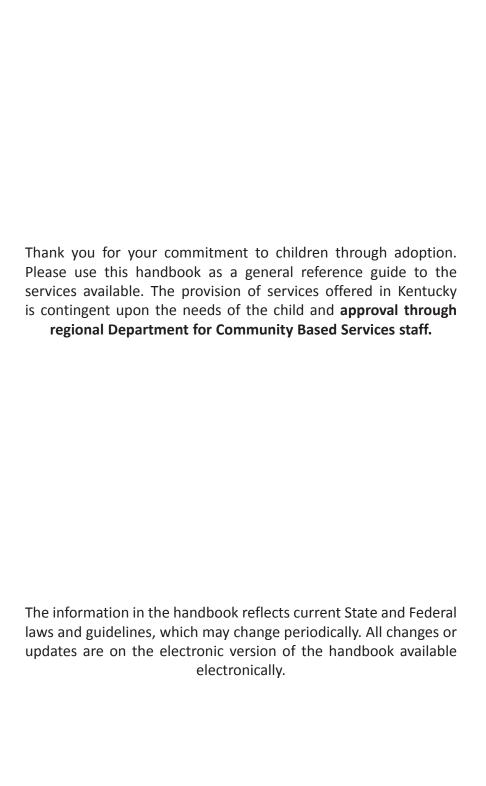
# The Kentucky Adoption Assistance Handbook



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#### **Introduction**

Kentucky's Adoption Assistance program began in 1972 with legislation designed to eliminate barriers that could prevent the adoption of "special needs" children by adoptive parents who may be financially unable to meet the needs of the children. The Adoption and Safe Families Act (ASFA) passed in 1997 placed more emphasis on permanency for children and eliminated some of the barriers to adoption for children waiting for families. Safety, permanency and well-being are the key principles of ASFA, and each state is held accountable for the permanent placement of children.

Kentucky's legislature has implemented laws and regulations, including KRS 199.555, KRS 199.557, 922 KAR 1:050, and 922 KAR 1:060, to allow the Department for Community Based Services (DCBS) to provide post adoptive services and assistance to the adoptive parents of children who are in Kentucky's foster care program who meet the special needs criteria. Children in foster care have histories of loss, trauma, medical and emotional issues.

## What are the special needs criteria?

To qualify for adoption assistance, a child must meet the following criteria:

- The state has determined a child in foster care cannot or should not be returned to their biological parents, because a court has granted a voluntary termination of parental rights (TPR), or an involuntary termination of parental rights (TPR), or the parents are deceased.
- 2. One or more of the following "special needs" definitions must be met:
  - Child has a physical or mental disability;
  - · Child has an emotional or behavioral disorder;
  - Child has a recognized/documented risk of physical, mental, or emotional disorder;
  - Child is a member of a sibling group, consisting of two (2) or more children, in which the siblings are placed together;

- Child has had a previous adoption disruption or multiple (more than one) placements;
- Child is a member of a racial and/or ethnic minority group and is two (2) years old or older; or
- Child is age seven (7) or older and has a significant emotional attachment or psychological tie to his/her foster family and the Cabinet has determined that it would be in the child's best interest to remain with the family.
- 3. The child is eligible if the child meets the requirements for Supplemental Security Income (SSI) benefits and determined by the state to be a child with special needs prior to finalization of the adoption.

There are no additional criteria that a child must meet to be eligible for Title IV-E adoption assistance when the eligibility is based on a special needs child meeting SSI requirements. Specifically, in this situation is it irrelevant how a child is removed from his or her home or whether the state has responsibility for the child's placement and care.

#### What is a reasonable efforts determination?

In all cases, it must be determined that reasonable efforts have been made to place a child without the need for adoption assistance. However, there are exceptions including:

- 1. The child has significant emotional ties to the prospective adoptive parents (i.e., foster parent) because they have had the child(ren) in their home for an extended period, or the child has emotional ties to another person who has had considerable influence in his/her life.
- 2. The child was registered with the Special Needs Adoption Program (SNAP) in order to recruit an adoptive family as there was no waiting Kentucky family available; or
- The child was referred to two or more families who were not accepting of the child because of the severity of the child's issues.

#### What if my child is denied adoption assistance?

If DCBS denies adoption assistance for your child and you feel

that the denial was unjust based upon the special needs of the child, you have the right to a fair hearing. You may contact your worker, and/or the Ombudsman's office, within 30 days of the denial. The Service Appeal Request form (DPP-154) is completed to request a fair hearing and can be provided by a worker or the Ombudsman's office. The worker or the Ombudsman's office can also assist with completing the form.

## What is Adoption Assistance and how is it funded?

Adoption Assistance is a resource to assist adoptive families with meeting the special needs of the children they adopt.

The monthly subsidy is a set monthly payment normally equal (or should be equal) to the Department for Community Based Service foster care per diem for the child. The monthly subsidy can never exceed the amount of the DCBS foster care rate for the specific child.

The type of subsidy that your child receives is found on the top right corner of the Adoption Assistance Agreement (DPP-1258). The monthly subsidy is available from two funding sources:

## A. Federal Funds – Title IV-E Eligible

There are four (4) ways a child can be eligible for Title IV-E adoption assistance:

- The child is eligible for Aid to Families with Dependent Children (AFDC) and meets the definition of a child with special needs.
  - Adoption assistance eligibility from a child's AFDC eligibility is determined on the child meeting the criteria at the time of removal. The Fostering Connections to Success and Increasing Adoptions Act of 2008 will gradually de-link AFDC eligibility requirements related to Title IV-E funded adoption assistance. By 2018 all special needs children in foster care will be Title IV-E eligible.
    - o The state must determine that the child meets the definition of a child with special needs prior to

finalization of the adoption. The method of removal has the following implications for AFDC eligible children for Title IV-E adoption assistance:

- If the child is removed from the home as the result of a judicial determination and must indicate that it was contrary to the child's welfare to remain in the home; or
- If the child is removed from the home as the result of a voluntary placement agreement, the child must receive Title IV-E foster care payments to be eligible for Title IV-E adoption assistance.
- Children placed as the result of a voluntary placement agreement where Title IV-E foster care maintenance payments are not paid are not eligible to receive Title IV-E adoption assistance.
- 2. The child is eligible if the child meets the requirements for Supplemental Security income (SSI) benefits and is determined by the state to be a child with special needs prior to finalization of the adoption.
- 3. There is no additional criteria for a child to be eligible for Title IV-E adoption assistance when eligibility is based on a special needs child meeting SSI requirements. Specifically, in this situation is it irrelevant how a child is removed from his or her home or whether the state has responsibility for the child's placement and care.
- 4. A child is eligible for Title IV-E adoption assistance if, prior to the finalization of the adoption, the child's parent was in foster care and received Title IV-E foster care maintenance payment that covered both the minor parent and the child of the minor parent and it is determined by the state to meet the definition of a child with special needs. There is no additional criteria to be met in order for a child to be eligible for Title IV-E adoption assistance if the child's eligibility is based on his/her minor parent's receipt of foster care

maintenance payment while placed with the minor parent in foster care. As with SSI, there is no requirement that a child must have been removed from the home, pursuant to voluntary placement agreement, or because of a judicial determination.

5. A child is eligible due to prior Title IV-E adoption assistance eligibility and meets the definition of a child with special needs. In the situation where a child is adopted and receives Title IV-E adoption assistance, but the adoption later dissolves or the adoptive parents die, a child may continue to be eligible for Title IV-E adoption assistance in a subsequent adoption.

Since Title IV-E adoption assistance eligibility need not be reestablished in such subsequent adoptions, the manner of a child's removal from the adoptive home, including whether the child is voluntarily relinquished to an individual or a private agency, is irrelevant.

#### B. State Funds - NON Title IV-E

This assistance is available to all special needs children who do not qualify for Title IV-E funded adoption assistance and were placed for adoption by the Department for Community Based Services (DCBS).

#### What is the Adoption Assistance Agreement?

The Adoption Assistance Agreement (DPP-1258) is a form signed by the family and Cabinet representatives outlining the monthly subsidy and extraordinary expenses that are available to the adoptive family upon signing the DPP-1258 and DPP-1258C.

#### Does my child qualify for medical assistance?

A Kentucky Medical Assistance Card is available for all children who have an Adoption Assistance Agreement (DPP-1258). The adoption subsidy medical card is approved when the adoption finalizes and the child's agency case is sealed. Adoptive parents should report any name, social security number, and/or address changes to the Child Benefits Worker.

Medicaid eligible children receiving adoption assistance are assigned to a Managed Care Organization (MCO), which is a Medicaid managed care health maintenance organization (HMO) for physical health care. The worker will submit the Adoption Assistance Update/Service Plan for Physical Health when the adoption is finalized. MCO organizations covering statewide are Anthem, Aetna Better Health, Humana CareSource, Passport and WellCare. Any difficulties in obtaining services (including dental, vision, and pharmacy) or payment for medical services should be directed to member services of the MCO your child is assigned. Changes in MCO companies can be made within 60 days of the finalization of adoption, or during the annual open enrollment period.

MCO Contact Information:		
Anthem	Phone: 1 (800) 880-2583	
Aetna Better Health	Phone: 1 (888) 604-6106	
Humans CareSource	Phone: 1 (800) 833-6917	
Passport	Phone: 1 (800) 578-0603	
WellCare	Phone: 1 (877) 389-9457	

## What if my child has extraordinary medical needs?

Extraordinary medical expenses are only available for children placed for adoption by DCBS. These are expenses related to a child's "special needs" which existed PRIOR to the adoption, and which are not reimbursable by private insurance, the medical card, or any other resource.

The services are utilized as the last resort when ALL other services have been exhausted. The resources are contingent upon DCBS approval.

A co-pay may be required based on the family's income. The family's worker can assist with co-pays, eligibility requirements, and identifying the services available. A verifiable receipt and service provider contact information is required to be submitted for reimbursement of these services. Your co-pay will be deducted from each monthly receipt that is submitted for payment. (For example: A receipt is submitted for \$100 and if you have a 10% co-pay you will be reimbursed \$90).

The Regional Billing Specialist processes payments for these services.

# Services covered by the extraordinary medical program MAY NOT include the following:

- School tuition
- Home school expenses
- Gymnastics
- Housecleaning services
- Equine therapy
- Summer camp
- Computers and computer software (An exception in an amount not to exceed \$1,000 for a one-time purchase for severely physically disabled children may be approved)
- Fences
- Swimming pools
- Major home renovations
- Vehicles to transport children
- Routine medical expenses (This includes physician visits unrelated to the child's special needs)
- Over the counter drugs
- Hospitalizations
- Dentistry or Orthodontia (Unless, prior to adoption finalization, there is a medical need with documentation from a physician)
- Funeral expenses

# Services covered by the extraordinary medical program MAY include the following:

• Orthodontia - the co-payment is 50% of the cost. A dentist

- or physician, prior to the adoption finalization must verify the medical need. Any orthodontia need diagnosed after finalization of adoption will be the responsibility of the adoptive parent.
- Transportation If mileage for treatment needs, such as for therapy or medical appointments, exceeds the yearly mileage rolled into the foster care rates, it may be covered. The local billing clerk or subsidy worker can provide current reimbursement rates.
- Childcare services Childcare services are available to both full-time and part-time working parents. A co-payment may be required based upon the adoptive parents' income. The worker facilitates DCBS payment of childcare services for working parents. For non-working parents, the Recruitment and Certification (R&C) worker submits a request for childcare to the Service Region Administrator (SRA) or designee that includes documentation from a qualified professional of therapeutic need for the service. This documentation must be submitted yearly. Childcare services are paid by the adoptive parents and reimbursed only with a paid receipt verified from the childcare provider. Adoptive parents must provide verification of employment annually. The rate of reimbursement is based on the age of the child and certification of the provider in accordance with the childcare regulations. Childcare reimbursement ends upon the child reaching age 13, unless documentation from a medical/mental health professional stating the diagnosed need for continuance of the childcare is provided. This documentation must be submitted every 6 months to your worker. Approved childcare rates cannot exceed the rates established by the Division of Child Care in Kentucky Administrative Regulation 922 KAR 2:160.

The current childcare rates can be found here: <a href="http://chfs.ky.gov/NR/rdonlyres/0EDE7710-">http://chfs.ky.gov/NR/rdonlyres/0EDE7710-</a>
<a href="http://chfs.ky.gov/NR/rdonlyres/0EDE7710-">AF0F-450D-B946-D0079E51646A/0/</a>
<a href="https://chfs.ky.gov/NR/rdonlyres/0EDE7710-">DCC300KentuckyChildCareMaximunPaymentRateChart.pdf</a>

 Tutoring – The rate may not exceed \$25.00 per hour and two (2) hours per week. Co-payment may be required based on family income. The child must be in a special education classroom, grade level two or more years behind chronological age or be receiving special instruction in a regular classroom.

Documentation of the need and unavailability of services is required from school (this may include the child's individual education plan (IEP) or a note from the teacher). Tutoring services must be provided by qualified personnel and by someone other than an immediate family member. The qualifications of the tutor must be verified.

- Eyeglasses A co-payment may be required.
- Respite Care One (1) day of reimbursed respite care per child, per month, is included in the per diem for children approved for the Basic or Advanced rate; therefore, families receiving these rates are not eligible for additional respite reimbursement. Children approved for Medically Fragile or Care Plus Home rates may be approved for two (2) respite days per child per month. Children approved for the Specialized Medically Fragile rate may be approved for three (3) respite days per month per child. Respite is not cumulative and respite days must be submitted monthly for reimbursement.
- Mental health services Services including counseling, expressive (art) therapy, behavioral therapy, physical therapy, occupational therapy, and speech therapy, may require a co-payment. A Medicaid vendor MUST be utilized first.
- **Medication** A co-payment may be required.
- Special Equipment A co-payment may be required.

Co-payments for Extraordinary Medical may be required based upon the family's income. The Extraordinary Medical Co-payment scale is based upon 100% of the Federal Fiscal Year estimated Kentucky income. The family's adjusted

gross income is utilized to determine the co-payment amount. The co-payments will be deducted from the monthly receipt.

Resources through Medicaid and private insurance, if applicable, must be utilized before requests for extraordinary medical expenses are approved for reimbursement.

The Extraordinary Medical Co-Payment Scale is based upon 100% of the Federal Fiscal Year estimated Kentucky income. The family's adjusted gross income is utilized to determine the co-payment amount. The co-pays as of June 30, 2017 are:

Family Size	0% co-pay	10% co-pay	15% co-pay	20% co-pay
2	\$47,657 &	\$47,658 to	\$71,487 to	Over
	Under	\$71,486	\$95,315	\$95,316
3	\$58,817 &	\$58,872 to	\$86,673 to	Over
	Under	\$86,672	\$115,563	\$115,564
4	\$70,084 &	\$70,085 to	\$105,127 to	Over
	Under	\$105,126	\$140,168	\$140,169
5	\$81,290 &	\$81,291 to	\$121,936 to	Over
	Under	\$121,935	\$162,580	\$162,581
6	\$92,511 &	\$92,512 to	\$138,768 to	Over
	Under	\$138,767	\$185,023	\$185,024
7	\$94,613 &	\$94,614 to	\$141,921 to	Over
	Under	\$141,920	\$189,227	\$189,228
8	\$96,716	\$96,717 to	\$145,075 to	Over
	& Under	\$145,074	\$193,432	\$193,433
9	\$98,818 &	\$98,819 to	\$148,228 to	Over
	Under	\$148,227	\$197,636	\$197,637
10	\$100,921 &	\$100,922 to	\$151,383 to	Over
	Under	\$151,382	\$201,843	\$201,844

Co-payment rates may change and should be verified through regional DCBS staff.

## Nonrecurring Expenses

These expenses are one-time reimbursements to offset the costs of adopting a child in foster care with special needs. The child must meet the Kentucky special needs criteria and a reasonable effort must be made to place the child without adoption assistance. These expenses cannot have been paid by any other source and the adoptive parent must incur expenses. The maximum amount cannot exceed \$1,000.00 per child. The request for nonrecurring adoption assistance must be submitted and approved prior to finalization of the adoption.

Examples of allowable expenses up to \$1,000.00 per child include the following:

- Court costs and attorney fees
- Home study expenses, including physical and/or psychological exams
- Post-placement costs
- Transportation, food, and lodging costs related to the adoptive placement and/or the adoption finalization process, limited to amount allowed by the Kentucky State Travel regulations. Transportation can also be reimbursed by regional foster care funds through a special expense request to the SRA.

Families may choose to have the Cabinet pay their attorney directly. This should be indicated on the Nonrecurring Adoption Expenses Agreement form (DPP-1258A).

## What if a change occurs?

If there is a change needed for the monthly subsidy, or extraordinary medical expenses, the family's subsidy worker may be contacted. The worker will schedule a meeting to discuss available options. Other DCBS services may be available, as well, to support the adoptive placement and can be considered on a case-by-case basis. If a change is needed the worker will submit a request for renegotiation for consideration/approval by the Service Region Associate (SRA) or designee. If approved,

a new Adoption Assistance Agreement form (DPP-1258) will be required to be signed by the family. The revised payment or reimbursement of expenses cannot begin until all signatures are secured.

If there are any changes to the adoption subsidy, other than childcare rates, a new DPP-1258 or DPP-1258C must be completed and signed by the adoptive parent(s) and DCBS staff.

#### When does adoption assistance begin?

**Pre-adoptive assistance** begins the day the Adoption Placement Agreement form (DPP-195) is signed, or on a later date if the family did not request adoption assistance at that time, and continues until the day the adoption is finalized. You must sign an Adoption Placement Agreement form (DPP-195) prior to receiving pre-adoption assistance. The Adoptive Assistance Agreement (DPP-1258) is signed at this time as well.

**Post-adoptive assistance** begins the day of the adoption finalization. An Adoption Assistance Agreement (DPP-1258) must be signed before the adoption is finalized in order to receive post-adoptive assistance. Once the Adoption Assistance Agreement (DPP-1258) is in effect, it will continue until child is no longer eligible or until a new agreement is signed.

Extraordinary Medical payments begin upon the signing of the Adoption Placement Agreement (DPP-195) and the Extraordinary Medical Expenses Agreement (DPP-1258C).

NOTE: Adoptive parents become responsible for making childcare payments from the date the Adoption Placement Agreement is signed. DCBS will no longer pay the childcare provider directly. Childcare receipts must be submitted monthly for reimbursement from this point forward.

The regional billing specialist processes the payments for preadoptive assistance and extraordinary medical expenses and reimburses those to the family. All extraordinary expenses **require**  a verifiable receipt submitted with the service provider's contact information. ALL RECEIPTS ARE TO BE SUBMITTED MONTHLY with the service provider's contact information.

All post-adoptive assistance payments are set up through an automated system generated automatically each month through Central Office Division of Administration and Financial Management (DAFM), and processed the 3rd Monday of each month.

Payments are not considered late until after the last working day of the month. If the payment is lost, or not received, the worker or regional billing specialist can be contacted to check on the status of the payment.

#### What is annual contact?

Adoptive families will be contacted annually. Families will need to complete the annual contact form and return it to the local DCBS office. Financial information (i.e. income verification) is required only for families receiving extraordinary medical expense reimbursement. The co-pays are determined with this information. Verification of employment may be required for families receiving childcare.

## What are the training requirements?

To receive a **Basic rate** for a child in the monthly subsidy program, the adoptive parent(s) must successfully complete fifteen (15) hours of preservice training.

The Basic Medically Complex rate is available to adoptive parents who have successfully completed twelve (12) hours of initial specialized medically complex training, beyond the preservice training and hold certification in infant, child and adult CPR and First Aid. In addition, the adoptive child must be designated as medically complex due to:

- 1. Significant care needs related to a serious illness or condition diagnosed by a health professional that may become unstable or change abruptly, resulting in a life-threatening event;
- 2. A chronic condition that is expected to be life-long and progressive and to require extensive services;
- 3. An acute, time-limited condition requiring additional oversight; or
- 4. A severe disability that requires the routine use of medical devices or assistive technology to compensate for the loss of a vital body function needed to participate in activities of daily living and significant and sustained care to avert death or further disability.

The Medically Complex Degreed rate is available to the following licensed health professionals adopting a child designated as medically complex: physician, physician assistant, advanced practice registered nurse, or registered nurse under the supervision of a physician. Health professionals must successfully complete the initial twelve (12) hours of specialized medically complex training beyond the preservice training requirement and hold certification in infant, child and adult CPR and First Aid.

A **Specialized Medically Complex rate** is available to adoptive parents who meet the training and CPR and First Aid certification requirements for medically complex homes; and adopt a child who meets specialized medically complex criteria, beyond the basic medically complex level due to a required higher level of medical care or oversight, which may also include behavioral or emotional needs related to the medical condition.

A **Degreed Specialized Medically Complex rate** is available to adoptive parents who meet the training, and CPR and First Aid certification requirements for medically complex homes and are a licensed physician, physician assistant, advanced practice registered nurse, or registered nurse under the supervision of a physician. Degreed specialized medically complex adoptive parents provide care for a child designated as specialized medical complex requiring a higher level of medical care or oversight,

beyond the basic medically complex level, which may also include behavioral or emotional needs related to the medical condition.

A **Care Plus rate** is available to adoptive parents who successfully complete, beyond the preservice training requirement, twelve (12) hours of training in the following areas:

- 1. Specific requirements and responsibilities of a care plus foster home;
- 2. Crisis intervention and behavior management;
- 3. De-escalation techniques;
- 4. Communication skills;
- 5. Skill development;
- 6. Cultural competency;
- 7. The dynamics of a child who has experienced sexual abuse or human trafficking; and
- 8. The effect of substance use, abuse, or dependency by either the child or the child's biological parent.

The adoptive child must also be designated as Care Plus due to:

- 1. A diagnosed emotional or behavioral problem;
- 2. Is due to be released from a treatment facility;
- 3. Displays aggressive, destructive, or disruptive behavior;
- 4. Is at risk of being placed in a more restrictive setting;
- 5. Is at risk of institutionalization; or
- 6. Has experienced numerous placement failures.

# Basic Advanced, Medically Complex Advanced, Specialized Medically Complex Advanced and Care Plus Advanced rates

To receive an advanced rate for a child in the monthly subsidy program, adoptive parent(s) must have been approved for 2 years and successfully completed thirty (30) hours of Cabinet approved mandatory training within the first two years of approval in the following categories:

- Trauma Informed Care 12 hours
- Child Sexual Abuse 12 hours
- Psychotropic Medications 1 hour
- Behavior Management 5 hours

	Basic	Advanced	Degreed
Birth to age 11	\$24.10	\$26.40	N/A
Age 12+	\$26.20	\$29.40	N/A
Care Plus Home	\$42.40	\$47.40	N/A
Medically Complex	\$42.40	\$47.40	\$50.90
Specialized Medically Complex	N/A	\$59.80	\$97.00

Adoptive parent(s) are <u>not required</u> to attend additional annual training (unless their homes remains open for foster or adoptive placements).

#### What are statutory benefits?

- Children eligible for or receiving "entitlements" (including Social Security, Black Lung Benefits, Veteran's Administration Benefits, Retirement, Survivors, and Disability Insurance (RSDI) and Railroad Retirement) based on a birth parent's death or disability, are eligible to receive the benefits after adoption. The Social Security Administration (SSA) and other benefit agencies encourage adoptive parents to apply for entitlements after adoption finalization.
  - (a) To be considered for benefits, the adoptive parents must sign a release of information for the child. The Regional Children's Benefits Worker (CBW), with the assistance of the Social Service Worker (SSW), will obtain the release of information and submit it to the Central Office Children's Benefits Coordinator for processing.
  - (b) When a child receives both SSI (which is an entitlement but is based on a child's disability and is income tested) and adoption assistance, the SSI benefit is reduced "dollar for dollar" by the amount of the monthly subsidy. In almost all cases, the amount of the subsidy exceeds the amount of the SSI.
- 2. Children eligible for or receiving "entitlements" based on an adoptive or birth parent's death or disability are eligible to receive the benefits after adoption. The child may receive full entitlement benefits and the adoptive parents may receive

full subsidy payment. There is no "dollar-for-dollar" reduction in subsidy in these cases.

 Additionally, children may receive insurance settlements after adoption from a biological parent without reduction of the adoptive parents' subsidy.

# What if I failed to request adoption assistance before finalization of the adoption?

This program consists of the following options depending on whether the child was eligible for federal or state funds before the adoption was finalized:

#### A. Federal Funds – Title IV-E

Federal regulations (45CFR 1356.40 (b) (1)) require that the Adoption Assistance Agreement (DPP-1258) be signed and in effect prior to the final decree of adoption. However, if the adoptive parents feel they wrongly have been denied benefits on behalf of an adoptive child, they have the right to a fair hearing. Some allegations that constitute grounds for a fair hearing include:

- relevant facts regarding the child were known by the state agency or child-placing agency and not presented to the adoptive parents prior to the finalization of the adoption;
- denial of assistance based upon a means test of the adoptive family;
- adoptive family disagrees with the determination by the state that a child is ineligible for adoption assistance; and
- failure by the state agency to advise the potential adoptive parent(s) about the availability of adoption assistance for children in the state foster care system.

In situations where the final fair hearing decision is favorable to the adoptive parents, the state agency can reverse the earlier decision to deny benefits under Title IV-E. If the child meets all the eligibility criteria, Federal Financial Participation (FFP) is available, beginning with the earliest date of the child's eligibility criteria (e.g., the date of the child's placement in the adoptive

home or finalization of the adoption) in accordance with federal and state statutes, regulations and policies.

#### **B. State Funds**

If the adoption of a child is near dissolution, assistance can be requested for extraordinary medical expenses and a medical card. Approval is contingent upon DCBS approval and the availability of funds and the following criteria:

- DCBS placed the child for adoption.
- The child was considered "hard-to-place" prior to the adoption.
- The parents have made a reasonable effort under the circumstances to meet the needs of the child without assistance.
- The child is younger than eighteen (18) years old.

Approved expenses may be retroactive to the date of the adoptive parents' request. Expenses that have caused a financial hardship on the family may be retroactive to July 1 of the current state fiscal year.

If it is felt that a child qualifies for services, through the state program, a recruitment and certification (R&C) worker should be contacted through the local DCBS office. The worker can discuss the child's needs to determine if the child qualifies for services. The child must meet the "special needs" criteria in effect at the time of finalization.

#### How will adoption assistance affect my income tax?

Adoption assistance is not considered taxable income, according to the IRS. The expenses reimbursed through the Extraordinary Medical Program, including day care services, respite care, or other medical services, are not allowed as deductions when itemizing income taxes. Likewise, the reimbursements received from DCBS for those expenses is not considered taxable income.

#### **Adoption Tax Credit**

Adoption tax credit information can be provided by a tax advisor

or by contacting the Internal Revenue Service at 1 (800) 829-1040 or online at https://www.irs.gov/Individuals.

#### What if I move?

#### In state moves:

Families moving within Kentucky should contact their subsidy worker and provide the approximate date of the move, contact number and the new address. The worker will contact the DCBS office in the area where the family is moving and the adoption assistance case will be transferred, as needed, such as when a disruption may occur or if additional services are needed. The worker will notify the family of the new worker's name, office location, and phone number.

To ensure proper distribution of payment the move **should also be reported** to the Division of Administration and Financial Management (DAFM) at 1 (502) 564-3427. There should not be an interruption in the monthly subsidy. However, if there is, all payments due will be made to the family.

#### Out of state moves:

Families moving outside Kentucky should contact their subsidy worker and provide the approximate date of the move, contact number and the new address. The subsidy worker will notify the regional Children's Benefits Worker (CBW). The CBW will transfer the case to the new state of residence so a medical assistance card will be available in that state.

To ensure proper distribution of payment the move **should also be reported** to the Division of Administration and Financial Management (DAFM) at 1 (502) 564-3427. Kentucky will remain responsible for the adoption assistance payment regardless of the family's state of residence. There should be not be an interruption in the monthly subsidy, and if there is, all payments due will be made to the family.

Medical assistance is available from the state of Kentucky for all children if unavailable from the state of residence. The availability

of the medical card depends upon the funding source identified on the Adoption Assistance Agreement (DPP-1258) and the state of residence.

#### Federal Funds-Title IV-E

Title IV-E eligible children must receive medical assistance from the state of residence if the state is a member of the Interstate Compact on Adoption and Medical Assistance (ICAMA). All states/territories except Puerto Rico and the Virgin Islands are members of ICAMA. For those states, the child may retain the Kentucky Medical Assistance card. More information can be found at http://aaicama.org/cms/.

#### State Funds

State-funded children are eligible for medical assistance in a limited number of states. If the child does not qualify for medical assistance in the resident state, the child may retain the Kentucky Medical Assistance card. The adoptive parents must locate vendors in your new state that will be willing to apply to become Kentucky Medicaid Vendors if they are not already. The Kentucky Medicaid Provider Enrollment office contact number is 1 (877) 838-5085.

The subsidy worker should be able to assist with determining whether your child will be eligible for a medical card in the other state. If the child is eligible, the worker will start the process by notifying the other state of the move and the need for medical assistance.

For more information regarding ICAMA contact the DCBS central office Adoptions Branch at 1 (502) 564-2147.

#### When does adoption assistance end?

- At the <u>written</u> request of the adoptive parent
- When the child reaches age eighteen (18); or upon high school graduation, or the child's 19th birthday, whichever comes first

- When the child reaches age twenty-one (21) if the state determines that the child has a mental or physical disability that warrants continuation of assistance
- The adoptive parent is no longer legally responsible for the support for the child (i.e. termination of parental rights)
- The child is no longer receiving support (support is defined as "monetary") from the adoptive parents
- No adoptive parent who signed the Adoption Assistance Agreement (DPP-1258) remains living
- If adoption assistance is renegotiated and a new agreement is signed
- Upon the child's death, full-time employment, marriage or entrance into military service
- In the event the state legislature fails to appropriate funds to support the adoption assistance program

## What is temporary discontinuance?

#### State Funded

Temporary discontinuance of state funded adoption assistance may occur (per Kentucky Administrative Regulation 922 KAR 1:050) during periods the adopted child resides in:

- Foster care;
- A residential treatment facility;
- A psychiatric residential treatment facility (PRTF);
- A psychiatric hospitalization exceeding thirty (30) consecutive calendar days;
- Detention outside of the home for a period of thirty (30) consecutive calendar days; or
- Absent from the home for a period of thirty (30) consecutive calendar days, unless the child is absent due to medical care or school attendance.

#### Title IV-E Funded

Temporary discontinuance of Title IV-E funded subsidies cannot be implemented without agreement by the adoptive parent(s) and a renegotiated subsidy contract. A new DPP-1258 and/or DPP-1258C will need to be completed to show the renegotiated

amount of \$1.00. This amount allows the adopted child to maintain his/her medical card during the discontinuance period. If the adopted child re-enters foster care, the adoptive parents **MUST** provide financial support for the child and provide documentation/receipts to the worker.

\*The adoptive parent/family is responsible for notifying the cabinet of any circumstances that would cause a change or discontinuance of adoption assistance. Information should be reported to the R&C worker or the regional child benefits worker.

When adoption assistance is discontinued, the family should receive written notification from the worker advising of the reason and date of the discontinuance.

# <u>Does adoption assistance continue beyond age 18?</u> State Funded

Title IV-E funded adoption assistance can be converted to state funded adoption assistance if the child is 18 and still in high school. State funded adoption assistance then will continue until the child reaches age nineteen (19), or high school graduation, whichever comes first. For the subsidies continued beyond age 18, the medical coverage continues until high school graduation if the child is expected to graduate before his/her 19th birthday. The family submits written verification of the child's continued enrollment in high school past the age of eighteen (18) to the R&C worker. Upon receipt of verification of school enrollment/ expected graduation date, the worker will issue a new state funded DPP-1258 that must be returned to the worker for continuance of adoption subsidy reimbursement.

#### **IV-E Funded**

Title IV-E adoption assistance can continue after the age of eighteen (18) if an adopted child is determined by the Social Security Administration or by a Cabinet Medical Review Team (MRT) to have a disability. Disability includes an inability to

engage in any substantial gainful activity due to any medically determined physical or mental impairment(s) that can be expected to last continually for at least 12 months or to result in death. The medical card will continue until age twenty-one (21) for Title IV-E funded subsidies approved for continuation beyond age eighteen (18).

To determine a youth's disability, at least six months prior to their 18th birthday, the adoptive family completes a referral for determination for disability (DPP-601); a release of information (MRT-15), provided by the R&C worker; and provides current (within one year) supporting documentation including, but not limited to: educational testing, individual education plans (IEPs), medical records; or psychiatric hospital records. The Department for Disability Determination Services (DDS) and the Medical Review Team (MRT) considers the following factors in determining approval or denial of a disability determination for an adopted youth: the child's medical history and medical testimony, including information related to the alleged physical or mental disability, illness or impairment, as to whether the child's ability to gain full-time employment or to pursue opportunities within a state or federal education program are reduced; the youth's age, employment history, education, and the effect of the physical or mental condition on the ability to care for and support him/ herself.

Contact your local DCBS office regarding the procedure to extend the adoption subsidy beyond age eighteen (18).

# What are Post Adoptive Placement Stabilization Services (PAPSS)?

Post-Adoption Placement Stabilization Services is an optional and supportive service offered to adoptive parents on a voluntary basis. Adoptive parents receiving adoption assistance (subsidy) for a Department for Community Based Services (DCBS) agency adopted child may request services IF the placement is close to disruption. Since renegotiation of adoption assistance cannot occur without the adoptive parents agreeing, the adoptive parent

must agree to renegotiate adoption assistance to \$1.00 during the PAPSS placement to ensure the continuance of the child's medical coverage. Therefore, a new Adoption Assistance Agreement (DPP-1258) must be signed. Designated regional staff must ensure the agreement is signed prior to proceeding with PAPSS services.

Extraordinary medical expenses can be negotiated to cover the cost of transportation during the PAPSS placement. (For example: mileage to and from PAPSS placement for visits, therapy, and/or case consults)

State funded adoption assistance is temporarily discontinued on the date of the child's placement into a residential facility. If approved, families are eligible for a total of **up to 90 days of residential placement for their adopted child per calendar year if eligibility requirements below are met**. Adoptive parents do not have to relinquish custody of their child to receive this service. If the placement exceeds 90 days, then voluntary commitment to the Cabinet is pursued.

When a child returns to the adoptive home, the subsidy is reinstated. A new DPP-1258 must be completed and signed.

\* Any time there is a change in the adoption subsidy, a new Adoption Assistance Agreement (DPP-1258) must be signed.

The eligibility requirements to receive PAPSS services **determined by regional DCBS staff** include:

- the possibility of placement disruption;
- the adoptive parent(s) cooperation with and utilization
  of other available preventative services, such as Impact
  Plus and Family Preservation; agreement by the Adoptive
  parent(s) to temporarily discontinue the subsidy;
- adoptive parent(s) authorization to the Cabinet for coordination of PAPSS services including making referrals for the child to a child caring facility;
- adoptive parent(s) authorization for the Cabinet to access the child's medical and treatment information;

 agreement by adoptive parent(s) to participate in the Family Team Meeting with Cabinet and facility staff; adoptive parent(s) to cooperate with the assessment of the child to determine the child's needs; adoptive parent(s) agreement to participate in the child's treatment to facilitate reunification.

Please contact your local DCBS office for eligibility criteria or additional information.

# What is the Tuition Waiver for Foster and Adopted Children?

Tuition and mandatory student fees at all Kentucky public postsecondary institutions, including all four (4) year universities and colleges of the Kentucky Community and Technical College System, will be waived for Kentucky foster or adopted youth who are full-time or part-time students if they meet all entrance requirements, maintain academic eligibility while enrolled at the college, and if:

- The student was in the permanent legal custody of the Cabinet for Health and Family services prior to being adopted and the family receives adoption assistance;
- 2. The student is currently committed to the Cabinet for Health and Family Services (CHFS) and placed in foster care;
- 3. The student is in an Independent Living program funded by CHFS; or
- 4. The student was in the custody of the Cabinet for Health and Family Services on his or her 18th birthday.

The Waiver will cover the costs of tuition at the in-state rate. Families of children adopted from Kentucky but not residing in Kentucky will be required to pay the difference between the in state and out-of-state tuition rates. The waiver does not apply to institutions outside Kentucky.

"Tuition and mandatory fees" means fee for instruction. This does not include room and board or books.

# The Tuition Waiver is applicable for undergraduate study only.

## How do you apply for the waiver?

- 1. The student must complete and process the Free Application for Federal Student Aid (FAFSA) to determine if he or she is eligible for state or federal financial aid programs. The amount of the waiver will be determined by any other free financial assistance (loans excluded) the student receives. The waiver and other free assistance cannot exceed the total costs of attendance.
- The "Tuition Waiver for Foster and Adopted Children" form (DPP-333) must first be signed by the student (or guardian if under 18) and returned to the institution. These forms are available from CHFS or DJJ staff, school counselors, public post-secondary institution staff and Vocational Rehabilitation counselors.

#### How long will a student be eligible for the tuition waiver?

The student must request the waiver within four (4) years of their high school graduation or attaining their GED.

Once the student applies for the waiver, they are eligible for a period of five (5) years if satisfactory progress is maintained. Once the student's five (5) year eligibility period is activated, it does not stop, even during periods where the student is not enrolled at an institution.

#### Service Extension

The five (5) year eligibility period will be extended if the college determines that the student was unable to enroll for or complete an academic year due to serving:

- 1. On active duty status in the United States Armed Forces;
- 2. As an officer in the Commissioned Corps of the United States Public Health Service; or
- 3. On active service in the Peace Corps Act or AmeriCorps.

The original expiration date will be extended by the total number of years during which the student was on active duty status. The number of months served on active duty status will be rounded up to the next higher year to determine the maximum length of eligibility extension allowed.

For additional information, please contact local DCBS staff or call (800) 232-5437.

#### What is the Education Training Voucher?

The ETV is available for students who were in state's custody on their 18th birthday or who were adopted from state's care on or after their 16th birthday. The maximum amount of assistance available is \$5,000 per student per year. Students eligible for the Tuition Waiver may also be eligible for an ETV. Allowable expenses include but are not limited to the following: books, tuition, and childcare, transportation, utilities, and food and rent assistance. Eligible students must be enrolled at least part-time in an accredited postsecondary education or job training and maintain academic eligibility or satisfactory academic progress. To apply for the voucher or for questions, students should contact their regional Independent Living Coordinators.

#### **Independent Living Coordinators**

Region	Counties	Phone
Cumberland	Adair, Bell, Clay, Casey, Clinton, Cumberland, , Green, Harlan, Jackson, Knox, Laurel, McCreary, Pulaski, Rockcastle, Russell, Taylor, Wayne, Whitley	(606) 528-4234
Eastern Mountain	Breathitt, Floyd, Johnson, Knott, Lee, Leslie, Letcher, Magoffin, Martin, Owsley, Perry, Pike, Wolfe	(606) 788-7100
Jefferson	Jefferson	(502) 595-4504
Northern Bluegrass	Boone, Bourbon, Campbell, Carroll, Gallatin, Grant, Harrison, Kenton, Nicholas, Owen, Pendleton, Scott	(859) 292-6340

Region	Counties	Phone
Northeastern	Bath, Boyd, Bracken, Carter, Elliot, Fleming, Greenup, Lawrence, Lewis, Mason, Menifee, Montgomery, Morgan, Robertson, Rowan	(606) 783-8545
Salt River Trail	Anderson, Breckenridge, Bullitt, Franklin, Grayson, Hardin, Henry, Larue, Marion, Meade, Nelson, Oldham, Shelby, Spencer, Trimble, Washington, Woodford	(502) 647-9245
Southern Bluegrass	Fayette	(859) 971-4706
Boyle, Clark, Estill, Garrard, Southern Bluegrass Jessamine, Lincoln, Madison, Mercer, Powell		(859) 239-7105
The Lakes	Ballard, Carlisle, Calloway, Fulton, Hickman, Graves, Marshall, McCracken, Caldwell, Christian, Crittenden, Hopkins, Livingston, Muhlenberg, Todd, Trigg, Lyon	
Two Rivers	Two Rivers  Allen, Barren, Hart, Metcalfe, Monroe, Simpson, Warren	
Butler, Daviess, Edmonson, Two Rivers Hancock, Henderson, Logan, McLean, Ohio, Union, Webster		(270) 687-7491
Central Office State Coordinator/ Assistants		(502) 564-2147

#### What is the Chafee Independence Program?

The John Chafee Independence Program is a federally funded program designed to teach young people in foster care, or who have been in foster care, life skills to be self-sufficient and live successfully, as an adult. The regional Independent Living Coordinators facilitate provisions of these services (see graph above). To find out more about this program you may contact the Coordinator in your region or you may call 1-800-232-5437, or email CHFS DCBS DPP Chafee ILP at chafee.ilp@ky.gov.

#### **RESOURCE INFORMATION**

#### **AdoptUSKids**

This is a national federally funded program providing tips, resources, and an extensive database of children in U.S. foster care available for adoption ,for families, and child welfare professionals.

Contact Information

Phone: (888)200-4005

Email: info@adoptuskids.org Website: www.adoptuskids.org

#### Cabinet for Health and Family Services Office of the Ombudsman

The Office of the Ombudsman answers questions about Kentucky CHFS programs, investigates customer complaints; works with CHFS management to resolve them; advises CHFS management about patterns of complaints and recommends corrective action when appropriate.

Contact Information Phone: (800)372-2973

Website: <a href="http://chfs.ky.gov/os/omb/">http://chfs.ky.gov/os/omb/</a>

## **Child Welfare Information Gateway**

This is a federal program providing resource information, on all aspects of domestic and inter-country adoption, focusing on adoption from the U.S. foster care system.

Contact Information Phone: (800)394-3366

Email: info@childwelfare.gov Website: www.childwelfare.gov

## Regional Billing Specialists

The Regional Billing Specialists handle processing of payments and reimbursement, including pre-adoptive assistance payments and extraordinary medical expense payments, for foster and adoptive parents.

Region	Counties	Phone
Cumberland	Bell, Clay, Harlan, Jackson, Knox, Laurel, Rockcastle, Whitley	1 (606) 546-5154
Eastern Mountain	Floyd, Johnson, Magoffin, Martin, Pike	1 (859) 737-7771 Ext. 3919
Eastern Mountain	Breathitt, Knott, Lee, Leslie, Letcher, Owsley, Perry, Wolfe	1 (606) 435-6056 Ext. 223
Jefferson	Last name A-G Last name H-Z	1 (502) 595-4422 Ext. 5161 1 (502) 647-1622
Northeastern	Bath, Bracken, Fleming, Lewis, Mason, Menifee, Montgomery, Robertson, Rowan	1 (606) 796-2145 Ext. 109
Northeastern	Boyd, Carter, Elliott, Greenup, Lawrence, Morgan	1 (606) 435-6056
Northern Bluegrass	Bourbon, Carroll, Gallatin, Grant, Harrison, Nicholas, Owen, Pendleton, Scott	1 (859) 283-3199 Ext. 311
Northern Bluegrass	Kenton	1 (859) 292-6340 Ext. 2584
Northern Bluegrass	Boone and Campbell	1 (859) 283-3145
Salt River Trail	Breckinridge, Bullitt, Grayson, Henry, Nelson, Oldham, Spencer and Trimble	1 (502) 222-9472 Ext. 4115

Region	Counties	Phone
Salt River Trail	Hardin and Meade	1 (270) 766-5099 Ext. 4115
Salt River Trail	Anderson, Franklin, Larue, Marion, Shelby, Washington, and Woodford	1 (502) 633-1892 Ext. 192
Southern Bluegrass	Boyle, Mercer and Fayette Last name A-J	1 (859) 239-7105 Ext. 3408
Southern Bluegrass	Clark and Fayette Last Name K-Z	1 (859) 971-4458
Southern Bluegrass	Garrard, Jessamine, Lincoln, Madison, Estill, Mercer, and Powell	1 (859) 239-7105 Ext. 3426
The Lakes	Caldwell, Christian, Crittenden, Hopkins, Livingston, Lyon, Muhlenberg, Todd	1 (270) 889-6573
The Lakes	Ballard, Calloway, Carlisle, Fulton, Graves, Hickman, Marshall, McCracken	1 (270) 247-2900 Ext. 135
Two Rivers	Butler, Edmonson, Hart, Logan, Metcalfe, Simpson, Warren	1 (270) 687-7047 Ext. 2520
Two Rivers	Allen, Barren, Daviess, Hancock, Henderson, McLean, Monroe, Ohio, Union, Webster	1 (270) 524-7111 Ext. 3007

# <u>Department for Community Based Services Child Benefits</u> Workers

The regional Child Benefits Workers (CBW) handle processing and approval for Medicaid, COBRA, and ICAMA coverage, IV-E eligibility, SSI/RSDI changes and updates, and monitoring of adoption cases for changes or adjustments in subsidy payments.

Region	Phone	
Cumberland	1(606)677-4103	
Eastern Mountain	1(606)788-7108	
Jefferson	1(502)595-3110	
Northeastern	1(606)638-4360	
Northern Bluegrass	1(859)292-6340	
Salt River Trail	1(270)422-3974	
Southern Bluegrass	1(859)623-1204	
The Lakes	1(270)889-6573	
Two Rivers 1(270)746-7447		
Branch Manager	1(270)687-7047, Ext. 2716	
Specialist 1(859)623-1204		
Specialist	1(606)330-2013	
Trust Funds	1(502)839-7678	

#### <u>Department for Community Based Services (DCBS) Recruitment</u> & Certification (R&C) Regional Offices

Region	Counties	Supervisor (FSOS)	Phone
Cumberland	Bell, Clay, Harlan, Jackson, Knox, Laurel, Rockcastle, Whitley	Jennifer White	(606)256-2138
Cumberland	Adair, Casey, Clinton, Cumberland, Green, McCreary, Pulaski, Russell, Taylor and Wayne	Vacant	(606)677-4086

Region	Counties	Supervisor (FSOS)	Phone
Eastern Mountain	Breathitt, Lee, Leslie, Letcher, Knott, Owsley, Perry, Wolfe	Edwina Slone	(606)785-3106, Ext. 229
Eastern Mountain	Floyd, Johnson, Magoffin, Martin, Pike	Lisa LeMaster	(606)349-3122, Ext. 214
Jefferson	Jefferson	Letesia Morris	(502)595-4590, Ext. 5577
Jefferson	Jefferson	Shawnte West	(502)595-3631, Ext. 5634
Jefferson	Jefferson	Sonjequita Johnson	(502)595-3274, Ext. 5584
Northeastern	Bath, Bracken, Fleming, Lewis, Mason, Menifee, Montgomery, Robertson and Rowan	Terri Combs	(859)498-6312
Northeastern	Boyd, Carter, Elliott, Greenup, Lawrence, Morgan	Paul Moore	(606)920-2131
Northern	R&C	Jennifer Wiehe	(859)292-6632, Ext. 269
Bluegrass		Denise Eubanks	(502)863-0565
Salt River Trail	Breckenridge, Grayson, Hardin, Larue, Meade, Marion, Nelson, Washington	Robin George	(270)766-5099
Salt River Trail	Anderson, Bullitt, Franklin, Henry, Oldham, Shelby, Spencer, Woodford, Trimble	Carolyn Overall	(502)633-2055

Region	Counties	Supervisor (FSOS)	Phone
Southern Bluegrass	Fayette and Jessamine	Cathy Shepler	(859)245-5488
Southern Bluegrass	Fayette	Kelli Root Renae Hardin	(859)245-5488 (859)245-5488
Southern Bluegrass	Boyle, Clark, Estill, Garrard, Lincoln, Madison, Mercer, Powell	Kristy Kidd	(859)737-7771, Ext. 3935
The Lakes	All counties	Shawn Johnson	(270)889-6570
Two Rivers	Daviess, Hancock, Henderson, McLean, Ohio, Union, Webster	Brent Edgar	(270)687-7491
Two Rivers	Allen, Barren, Butler, Edmondson, Hart, Logan, Metcalfe, Monroe, Simpson, Warren	Michaelle Johnson	(270)746-7447

#### First Steps

A statewide early intervention system that provides services to families with children with developmental disabilities from birth to age three (3).

First Steps is available in all Kentucky counties. Services are available to any child and family who meet developmental eligibility criteria, regardless of income. A family's participation in First Steps services is always voluntary. Referrals are directed to teams at the district Local Point of Entry offices that help children and families access needed services.

#### **Contact Information**

Phone: (877) 417-8377 or (877) 41STEPS

Email: <a href="mailto:chfs.firststeps@ky.gov">chfs.firststeps@ky.gov</a>

Website: http://chfs.ky.gov/dph/firststeps.htm

#### Kentucky Partnership for Families and Children, Inc.

This program provides a united voice dedicated to improving services for children with emotional, behavioral and/or mental health challenges. This program also provides information about disabilities, advocacy activities and contact persons for support groups in every area of the state.

Contact Information Phone: (800)369-0533

Website: https://kypartnership.org/

#### **Kentucky Special Needs Adoption Program (SNAP)**

This is a statewide program within the Department for Community Based Services assisting with the recruitment of foster and adoptive placements.

Contact Information

Phone: (800) 432-9346 or (800)928-4303

Websites: <a href="https://prdweb.chfs.ky.gov/SNAP/index.aspx">https://prdweb.chfs.ky.gov/SNAP/index.aspx</a>
<a href="https://adopt.ky.gov/learnMore/Pages/snap.aspx">https://adopt.ky.gov/learnMore/Pages/snap.aspx</a>

#### North American Council on Adoptable Children (NACAC)

A national program that provides resources, information, and support, to adoptive families and perspective adoptive families.

Contact Information
Phone: 1(651)644-3036
E-mail: info@nacac.org
Website: www.nacac.org

#### University of Kentucky Training Resource Center

This program provides training, technical assistance, and consultation to professionals and caregivers through various programs including the Foster Parent Training Program, Medically Complex Training Program, Adoption Support for Kentucky (ASK) Program, and the Foster Parent Mentor Program.

Contact information

Phone: 1(877)440-6376 Email: trc@lsv.uky.edu Website: trc.uky.edu

# <u>University of Kentucky Comprehensive Assessment and Training</u> <u>Services (CATS)</u>

This program provides multidimensional, non-medical, proactive assessment of children and families identified by DCBS.

**Contact Information** 

Phone: 1(859)543-0078, Ext. 0 Email: CTAC@lsv.uky.edu

Website: http://www.uky.edu/CTAC/





To learn more about foster care and adoption, please call (800) 232-KIDS or visit adopt.ky.gov/learnMore/Pages/snap.aspx



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